

REMARKS

Claims 1-12, 14, 16, 18-21, 23, 25-29, 31, 33-37, 39 and 41-42 are pending in this application. The Office Action rejects claims 1, 19, 27 and 35 under 35 U.S.C. §102(b) as anticipated by Sharma; and rejects claims 1-12, 14, 16, 18-21, 23, 25-29, 31, 33-37, 39 and 41-42 under 35 U.S.C. §103(a) over Sharma in view of Wang. Applicants amend instant claims 1, 19, 27 and 35. Support for the amendments can be found for example in the specification at Fig. 1 and paragraph [0024]. No new matter is added.

I. Rejections Under 35 U.S.C. §102(b)

The Office Action rejects claims 1, 19, 27 and 35 under 35 U.S.C. §102(b) as anticipated by Sharma. The Office Action asserts that Sharma discloses each feature of instant claims 1, 19, 27 and 35. Applicants amend claims 1, 19, 27 and 35 and respectfully traverse the rejection.

Instant claims 1, 19, 27 and 35 recite "directly determining an analog tone or binary image marking process." The image marking process is directly determined (i.e., continuous tone image marking processes are differentiated from halftone processes) based on local/spatial variations in the printed image. See Fig. 1, no.'s 110, 115, 116, 120 and 125; and specification at paragraph [0024].

In contrast, as set forth in Applicants' Amendment filed April 27, 2007, Sharma involves an image spatial analyzer that analyzes image data corresponding to the image to determine at least one spatial characteristic based on the power spectrum of the image data and a marking process detection system that detects the marking process based on at least one spatial characteristic. Sharma therefore generates an image power spectrum in order to detect the marking process used to create the image. Sharma nowhere discloses *directly* deducing the image marking process used from the spatial characteristics of the printed page.

Thus, instant independent claims 1, 19, 27 and 35 are not anticipated by Sharma.

Sharma nowhere teaches, expressly or inherently, the claimed method of obtaining the image marking process directly from the spatial characteristics of the printed image.

For at least the foregoing reasons, instant claims 1, 19, 27 and 35 are not anticipated by Sharma. Reconsideration and withdrawal of the rejection are earnestly solicited.

II. Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-12, 14, 16, 18-21, 23, 25-29, 31, 33-37, 39 and 41-42 under 35 U.S.C. §103(a) as unpatentable over Sharma as applied to claims 1, 19, 27 and 35 above, and further in view of Wang. Applicants amend claims 1, 19, 27 and 35, and respectfully traverse the rejections. No new matter is added.

As discussed above, instant independent claims 1, 19, 27 and 35 as amended, from which all other claims depend, are not anticipated by Sharma, either inherently or expressly. Because this rejection is predicated on the notion that Sharma properly anticipates claims 1, 19, 27 and 35, this rejection is moot for the reasons cited above.

Moreover, Wang does not remedy Sharma's deficiencies with respect to independent claims 1, 19, 27 and 35. In particular, Wang cites an approach to automatically identify a marking process using additional spectral information from the scanned material obtained through additional spectral channels. Thus, in similar fashion to Sharma, Wang does not obtain the results of the instant claimed invention in as few steps, nor does either Wang or Sharma perform analysis of the scanned image directly, without using any additional resources, in order to identify the marking process used to form the image. Thus, Sharma in view of Wang would not have rendered obvious instant independent claims 1, 19, 27 or 35, or any remaining claims depending therefrom.

For at least the foregoing reasons, instant claims 1, 19, 27 or 35, as amended, and claims depending therefrom, would not have been obvious over Sharma in view of Wang. Reconsideration and withdrawal of the rejection are earnestly solicited.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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